

MAUNALEI SUED.

Two Immigration Companies' Claims.

THE NEWS OF THE COURTS OF HAWAII

John Cook Wants Coin From E. Coit Hobron—Bankruptcy Action Interfered.

MAUNALEI PLANTATION COMPANY was hard hit yesterday both in the United States and in the Territorial courts by the Tokio Immigration Company, Limited, and the Japan Immigration Company. The former company makes a claim against the bankrupt and insolvent sugar company for money due for furnishing Japanese male and female laborers at specified rates which money was to be returned to the immigration company in monthly installments extending over a period of three years. This suit was filed in the United States District Court in the forenoon and involves a sum amounting to \$2,000. The other suit was filed in the Circuit Court late in the afternoon by the Japan Immigration Company and is styled "a bill of discovery." The plaintiff seeks to recover about \$3,500 and requests the court to demand that the books, papers and officers' memorandums relating to the affairs of the bankrupt plantation be brought into open court for examination as to who are the delinquent stockholders, and to ascertain why the officers of the plantation make no effort to call in delinquent assessments.

Lorin Andrews, attorney for the Japan Immigration Company, sets forth that at all times an Hawaiian corporation organized for the culture and export of sugar cane. The company sets forth that the defendant corporation entered into an agreement with the plaintiff whereby for a valuable consideration it agreed to pay to the immigration company the sum of \$462.15 and the further sum of \$1.15 for each Japanese man, and \$1.05 for each woman, per month, furnished to the plantation from July 1, 1900, to October 1, 1902, no payments being required until December 1, 1900, when the said sum of \$462.15 and the installment payments due from July to December, 1900, were to be paid by the defendant. On July 10, 1900, for value received, the defendant gave the plaintiff its promissory note payable six months after date without grace, for the sum of \$2,978.40. At the expiration of the said six months due demand, was to be made upon the defendant for such note and the payment thereof was refused.

It is further shown in the bill "that upon information and belief the defendant corporation is hopelessly insolvent and bankrupt and is wholly unable to pay and satisfy the amount due, and your orator alleges that the whole capital stock has not been paid in, and that the capital is insufficient to satisfy the claims of its creditors and that a number of the stockholders of the company are delinquent in their payments, but their names are unknown to your orator."

"Your orator further says that the corporation has made and is making no effort to collect the money due from their delinquent stockholders to pay its creditors therewith."

"The acts of the corporation tend to the manifest injury of your orator and are plainly contrary to equity or adequate remedy except in a court of equity. Your orator further says that without the discovery and examination of the books and officers of the said corporation your orator is unable to find who are the delinquent stockholders and what amounts they owe the corporation and to proceed to enforce its claims against the defendant corporation." The plaintiff prays that the corporation be summoned to appear and produce the books of the corporation and that the officers make a full and true discovery of the affairs of the plantation.

MAUNALEI IN ESTEE'S COURT.

In the United States District Court, S. Horiya, S. Kuruse, C. Saito and S. Ozaki doing business under the name of the Tokio Immigration Company, Limited, have brought suit against the Maunalei Sugar Company for \$1,497 with interest from May 22, 1899, for damages resulting to them in that defendant, acting therein by its duly authorized and appointed agents, Gear, Lansing & Co., did upon May 22, 1899, enter into, sign and become bound by a certain contract and agreement between the Tokio Immigration Company. The plaintiffs agreed to import for the Maunalei plantation 100 aboriginal male and female Japanese laborers, with 25 per cent of them females, within two months of the signing of the contract. The defendant company in return agreed to pay to the said plaintiffs as compensation for the cost of transportation and for all other expenses up to the time of arrival of the laborers at Honolulu, the sum of \$30 for each male laborer so imported and accepted, and the sum of \$20 for each female laborer. Such sums were to be repaid at the rate of \$1.35 per month for the males and \$1.05 per month for the females, until at the end of three years or until the whole amount of \$30 and \$20 respectively were repaid for each laborer so imported and accepted. The plaintiffs delivered 100 males and fourteen females, who were accepted by the company. For a long time, or since March, 1899, no payment of the said monthly installments has been made by the defendant, and there is now owing \$1,497 as principal, being the total of the installments for the ten months from April 1, 1900, to February 1, 1901, at \$15.00 per month, of which no part has yet been paid.

For a further and distinct case of action the plaintiffs claim the additional sum of \$253, with interest from December 25, 1899, for damages resulting to them in an agreement to take 100 more Japanese males and not to exceed 25 per cent females, for which the defendant promised to pay \$27 for each male and \$23 for each female laborer. The laborers were imported, furnished and accepted, but there is still owing to the plaintiffs this agreement \$253 and interest. The action is brought by the plaintiffs over the signature of S. Kobayashi.

THE GRIEVANCE OF COOK.

When John Cook entered into an agreement with E. Coit Hobron just two years ago to purchase certain inside lots of land belonging to the latter in Kapala, it was with the express understanding that the original owner lay a good road and conduct fresh water in suitable pipes thereto, and give him advantages and comforts which residents living on main thoroughfares receive. Mr. Cook desired to erect a residence for himself and family on these lots, and promised to buy them if Mr. Hobron would make the necessary improvements and give him easy access to the street. E. Coit Hobron faithfully promised to do this before August 1st, 1900. The lots were then purchased and the house erected and completed a large and costly wooden building at an expense to himself of \$2,000, which was ready for occupancy on November 1, 1899, but Hobron, no longer willing to perform his part of the agreement and has absolutely neglected and refused to build the road and lay water pipes and conduct fresh water for his use, whereby, Mr. Cook states emphatically, that by reason of Hobron's failure to carry out his agreement, he is unable to occupy the mansion. The house stands solitary and empty and cannot even be rented.

Cook has brought suit in the Circuit Court against Hobron for damages in the sum of \$4,000 and the costs of the action.

BANKRUPTCY ACTION INTERFERED.

The execution issued from the Circuit Court against the property of J. A. Butterfield for \$62 on proceedings instituted by J. J. Monsarrat has been returned to the court with the following notation endorsed thereon by High Sheriff Brown: After attaching and offering for sale the property of the within named J. A. Butterfield, bankruptcy proceedings in the United States District Court of the Territory of Hawaii were instituted against the same property, and this writ, upon instructions from J. M. Monsarrat, attorney for plaintiff, is returned unsatisfied this 6th day of February, 1901.

COURT NOTES.

The case of Allen & Robinson vs. Koa-lua Kakaemahale was moved yesterday on the calendar—jury waived.

Hearing on the demurrer in Wong But Nam vs. Chock Sing was heard and demurrer overruled, and defendant allowed ten days in which to answer.

Hearing on demurrer in Emma M. Nakuna vs. Fanny Strauch was heard and the same overruled and defendant given ten days in which to file an answer.

Answer in the case of the Honolulu Investment Company, Limited, vs. Helela Rowland et al. has been filed by Christina Gomez, one of the defendants. Plaintiff's bill of costs in Y. Vasconcelos vs. Rebecca A. Dodd and R. W. Cathcart, executors, amounting to \$16.50, has been filed.

The first and final account of the Hawaiian Trust & Investment Co., Ltd., administrator of the estate of J. K. Kakaemahale, deceased, was filed yesterday, giving receipts at \$3,691.40 and expenditures at \$1,747.78, leaving a balance of \$1,943.62. An inventory of the estate has the following items: Two shares in Hawaiian Baseball Association, \$20; 5 shares Kona Coffee & Fruit Co.; 30 shares Hawaiian Land Co.; 25 shares Kamalei Sugar Co., assessable, 2 per cent paid; 5 shares Hulalea Hoonoonoo, Hawaiian 10 shares Kona Planters' Association; 13 I. O. U.'s (outlawed), 6 outlawed notes, and 5 notes overdue.

Portuguese Consul Canavaro has petitioned the Circuit Court for the appointment of Frank Andrade as guardian of the person and property of the minors, tana, minors. Property consisting of a house and lot situate on Makiki street is involved.

RETURNING FROM WAR IN CHINA

Japanese Who Went Back To the Orient Seeking Hawaii Again.

Former Japanese residents of Honolulu and of the Hawaiian Islands in general are expected to return from the Orient by dozens. It is anticipated that a large number will arrive on the next steamer and return to their vocations which were disturbed when the Boxer trouble broke out in China. The cause of the interruption in their work here was caused by orders from the military department calling upon them to return to their native land and serve their country's cause in China. Trained to obey orders of this kind, the Japanese soldiers in Hawaii dropped their various classes of labor and hastened to Japan as fast as the steamers could plough their way across the Pacific. Letters received from numbers of these conscripts state that they have served in the Japanese armies in the advance upon Peking and performed garrison duty in many cities in the Chinese Empire and were about to be discharged from further service. As soon as they could procure their discharges they stated they intended returning immediately to Hawaii, where more money and more satisfactory living were to be obtained than in their own country.

Not Officially Notified.

The recent opinion by Attorney General Griggs, concerning the citizenship of certain Chinese, to the contrary notwithstanding, until Collector Stackable is officially notified by his department of the opinion, Chinese will be treated as under the Treasury Department ruling made some time ago, and which denies that Chinese who were Hawaiian citizens before annexation became citizens of the United States by virtue of the Organic Act.

It has been found that the Customs Department had no authority to delegate an inspector of tea in a district other than specified by law. As a consequence there is a hitch in arrangements which had been made to have tea imported here inspected by Professor A. B. Ingalls, Customs house gauger. The tea has now to be sent to San Francisco for inspection, as previously.

THE KAIBER'S GENDER REPORT.

The German Emperor was at Latalingen on December 1, when the census was taken, and he filled up his own card. Under the heading "profession" he wrote "German Emperor, King of Prussia." The card was framed and it is to be kept in the municipal archives of the palace, while a certified copy of it has been made and sent in with the other cards.

SHOOTS A MAN.

E. S. Gill Tries To Kill Reporter Stevens.

PUTS A BULLET IN LATTER'S BODY

Assailant Republican Editor and Victim on Advertiser's Staff.

MORTIMER I. STEVENS, a reporter for the Advertiser, was shot last night by Edwin S. Gill, the editor of the Republican, in the office of that paper on Merchant street. One shot was fired by Gill from a 38-caliber revolver and the ball entered Stevens' leg just above the left hip and is still in the wound, as the doctors could not find it by probing. Unless unlooked for results follow the search for the bullet this morning Stevens will recover. Gill gave himself up at the police station about ten minutes after the shooting and was put in a cell.

He was released in an hour or so on bail of \$1,000 after being charged on the prison books with assault and battery with a deadly weapon.

The shooting was the outcome of an article and editorial in yesterday's Republican which reflected on the character of women friends of Stevens. The article and the editorial were as follows:

**BE CAREFUL HOW
YOU ENTERTAIN STRANGERS.**

Especially When 'The Strangers Are Young Ladies Betrothed to Others Far Away Who Trust Them.

It would be well if certain young society men in Honolulu would remember that all is not gold that glitters. In other words, just because certain young ladies from abroad are adepts at the art of making a good show, it does not signify that the aforesaid young men are the only ones.

Now it has come to pass that there are certain young ladies sojourning within the gates of Honolulu who have made a name for themselves by their conduct. The latter for the time being have been the ordinary duties of life, and are sitting up nights trying to think out nice and novel ways for entertaining the Mainland maidens. Had as matters are at the best, there is one young man who is fast losing his heart. The young lady to whom he is paying particular attention seems so appreciative, too. She upbraids him for his prodigality, and tells the dear boy not to spend his money, in treats with him, implores, does everything, in fact, but refuse to accept his attentions. All the time, one young man in particular is reminded of the fact that even now, in far away Los Angeles, the engraver is working on a plate from which will soon be printed invitations announcing the young lady's marriage to a wealthy young Angeleño. And the gentleman in this land of sunshine, fruit and tourists fondly thinks that his beloved is behaving as demurely as a soon-to-be-married young lady should.

The fair ones, when mildly reproached for their actions, put up such an innocent front that their would-be censors have not the heart to criticize further. A word of advice might not be out of place, in passing, to the demure ones. It is this: When talking over your plans, goss, don't sit on the front piazza of your caravansary and deliberately make your plans in such a tone of voice that everyone within a radius of fifty feet knows exactly what you intend trying to do.

"BEWARE! SHE'S FOOLING THEE!"

It looks like a mighty mean thing to do to "tip-off" another fellow's game, but the Republican really cannot see the young men of the city devote their undivided attention to young ladies from the Mainland of whom they have but little knowledge. At one of the hotels, where three young ladies are here on a visit, they are pretty and dainty and accomplished, but the young men who swarm about them are wasting their time, for the ladies are all three to be married very, very shortly. We have this from an unimpeachable source the young ladies themselves. For in the exuberance of their spirits over the jolly good time they have been having in this city they have taken nearly everybody in town into their confidence except the young man who was paying them suit. We do not mean to say that the young ladies have come here and made a heart-to-heart confession of their little affairs, but the lady of the hotel is large and its acoustic properties have considerably aided in the spreading of the news, by the careless, light-hearted way the girls have been doing so.

Clarky, Frank or Ben has done so, or will do so make it pleasant for them. "Just to think of it," one of the girls said, "and I am to be married as soon as I get home."

The following is Stevens' statement of the incidents leading up to the affray as dictated by him at the Queen's hospital an hour after he had been shot and when he did not know but that he might die from his injury:

I called upon Mr. Gill, city editor of the Republican, in reference to an article which appeared in that paper yesterday morning, believing that he was going to follow up the story with more defamatory statements against the character of innocent parties. I left the office of the Advertiser at about 5 o'clock p. m. last evening, determined to keep my temper during my private interview with Mr. Gill. As I entered his office, in reply to my inquiry for the city editor, Mr. Gill came from his chair and introduced himself.

I told him that I understood that he was intending to put another article in the paper this morning, and asked him, as a newspaper man, to answer if he thought it was called for. He replied in substance that he considered the article a good joke and said he could see nothing objectionable in the article. I asked him that if his mother, wife or sister were visiting in a strange city and some

newspaper published a similar article concerning them, if he would then consider it a joke, he would answer that the man then appeared who he replied that he did not care what any one said about them.

He had seated himself at his desk by this time and was nervously handling papers, and it was not so much with a smile as the positive insolence in his bearing, when I asked him once more if he would permit the matter to drop where it was and be content with the injury already done. He continued to evade my questions and when pressed for an answer replied that he would publish what he saw fit and now that there was so much being said concerning the alleged "joke" that he was inclined to believe that the article and the insinuations contained therein were well deserved. Owing to the fact that one of the ladies mentioned in the article had been born and raised in the same city and spent much of our childhood together and the unimpeachable character of herself and companions was well known to me, I could not stand his repeated insults longer, and struck him, with my fist in the face. The blow was a glancing one and only staggered him. He sprang backward and dragged a chair between us, reaching toward his hip pocket. As I understood that the man had a reputation as a gunfighter, and being unarmed myself, I sprang toward him, hoping to reach him before he could draw the revolver. The chair obstructed my passage and gave him time to draw his pistol and level the same at my head. He intended to shoot at an instant and then, lowering the muzzle, until it pointed at my stomach, he stepped from behind the chair and we circled around the room about tea feet apart. I stepped toward him again. I had taken but a step when he began to dance up and down as a gunfighter, and I went to do everything I can to hold up my hands.

I considered his whole game a bluff and continued to advance in his direction. When about five feet from him I saw his finger begin to contract upon the trigger. Realizing that if he intended to shoot at an instant he was about to do so, I turned quickly, presenting my left side toward him in the hope that he might miss me entirely or the ball penetrate a less vital spot than he intended. Without further warning he fired.

I started toward the door, and as I did so I am confident that he attempted to shoot me a second time. I managed to pass through the door, closing it between us, and started for the stairs leading to the street. As I gained the hallway I saw that he had opened the door and was following me with the revolver pointed at me. I evidently became confused, for all that I recall of events as they occurred before I left the Republican building is that I fell prostrate upon the floor of the composing-room and called out for assistance. The boys in the composing-room did not seem to realize that I had been shot.

Several minutes elapsed before anyone came to my aid. A hack was called and I was taken to the Advertiser's office, from which I was taken to the Queen's Hospital, and was treated by Dr. Wayson.

There were several witnesses to the shooting, among them, the city editor and one reporter of the Republican. Stevens was placed in a hack and brought to the Advertiser office by James R. Doolittle of the Republican staff. He was immediately hurried to the Queen's hospital, where a vain search was made for the ball. This morning an X-ray will be used to locate it.

When the police station was notified of what had occurred at the Republican office, two officers were dispatched there to arrest Gill. Before reaching the office Gill had been coming toward the police station.

"Are you the officer of the watch?" he inquired, addressing the station clerk. The clerk, in reply, pointed to Lieutenant Polakui.

"Are you the officer of the watch?" "Yes," he replied.

"I wish to surrender myself."

"What for?" inquired the Lieutenant.

"For accidentally shooting a man," answered Gill.

"Your name?"

"E. S. Gill, editor of the Republican."

The turnkey was called and Gill was searched. His letters, watch and other pocket trinkets were turned over to the reporter who had accompanied him. He asked if he could not sit in the Sheriff's office until some of his friends arrived. He was told that until the Sheriff came to the station he would have to go below to a cell. He was taken below, and shortly afterward high Sheriff Brown, accompanied by Chester Doyle, put in an appearance. The high Sheriff consulted with Gill and then had him placed in a cell. The statement that he would remain there until the condition of Mr. Stevens was ascertained, Gill refused to make any statement until he had consulted with an attorney. At 10:30 Manager Johnson of the Republican came to the station and saw that Gill was being taken to the Queen's hospital, where the charge against Gill as it appears upon the police record book is: "E. S. Gill, assault and battery with a deadly weapon upon Mortimer I. Stevens."

An officer was sent to the Republican office and secured a revolver, which is an American Remington, 35-caliber, short. One shell had been emptied and the trigger rested upon a second one, which had failed to explode. R. C. Rawlings had an altercation with Gill yesterday morning over the publication of the articles objected to by Stevens.

W. C. Rawlings, who first resented the publication of the article above given, called at the Advertiser office last night on learning of the shooting and dictated the following statement:

"The articles published in the Republican this morning were shown to me by a friend. Being a cousin of one of the ladies, and all five of them being under my charge, and all having come to Honolulu at my invitation, I immediately went to the Republican office and asked for the editor. I was ushered into Mr. Gill's office and asked him if he was the editor. He replied that he was."

"I said, 'You write all the editorials.' He said he did. I said, 'You father and stand good for the articles published in the paper.' He answered, 'Yes.' Then I showed him the articles and called his attention to them. I asked him if he was the editor. He replied that he was. I said, 'You write all the editorials.' He said he did. I said, 'You father and stand good for the articles published in the paper.' He answered, 'Yes.' Then I showed him the articles and called his attention to them. I asked him if he was the editor. He replied that he was. I said, 'You write all the editorials.' He said he did. I said, 'You father and stand good for the articles published in the paper.' He answered, 'Yes.' Then I showed him the articles and called his attention to them. I asked him if he was the editor. He replied that he was. I said, 'You write all the editorials.' He said he did. I said, 'You father and stand good for the articles published in the paper.' He answered, 'Yes.' 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